

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43957 of 2025**

Arising Out of PS. Case No.-99 Year-2023 Thana- KASBA District- Purnia

Jyoti Mallik @ Jyoti Mallick Wife of Suraj Mollick Resident of P.W.D. Para,
P.S.- Dalkhola, District - Uttar Dinajpur (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim, Adv.

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

2 16-07-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present Criminal Miscellaneous Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehends his arrest in connection with Kasba P.S. Case No.99 of 2023 lodged on 07.03.2023, for the offences punishable under Sections 30(a), 38(i) & 41(i) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, the allegation of total 143.25 liters of foreign liquor has been recovered from a e-rickshaw, which is subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the petitioner has been falsely implicated in the



present case. Nothing has been recovered from the conscious possession of the petitioner. He further submits that said recovery has been made from a e-rickshaw which belong to him, but the said vehicle has been given for running on rent of Rs.400 per day and he has done illegal work.

5. Counsel submits that the criminal antecedent of the petitioner is clean and in future, he shall take precaution.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the antecedent of the petitioner is clean.

7. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Exclusive Special Judge, Excise Court No.I, Purnea, in connection with Kasba P.S. Case No.99 of 2023, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

Prakashmani/-

U		T	
---	--	---	--

